IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 1023 OF 2000

The Commissioner of Income Tax .... Appellant
Mumbai

Vs.

Shri S.D. Magare .... Respondent

Mr. P.S. Sahadevan for Appellant.

CORAM : F.I. REBELLO, &
J.P. DEVADHAR, JJ.
DATE : 24TH SEPTEMBER, 2007

P.C.

. As the tax incidence is less than Rs.4.00 lakhs, the learned counsel seeks leave to withdraw the Appeal. Hence, Appeal dismissed as withdrawn. The issue of law, if any, is kept open for consideration in appropriate case.

2. Refund of Court Fees as per Rules.

Certified copy expedited.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**